

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JULIE NEUMILLER,

Plaintiff,

v.

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY,

Defendant.

Case No. 2:22-cv-00610-TSZ

ORDER REMANDING MATTER FOR
FURTHER ADMINISTRATIVE
PROCEEDINGS

THIS MATTER comes before the Court on Plaintiff's Motion for Order Remanding Matter for Further "Administrative" Proceedings, docket no. 23. Having reviewed all papers filed in support of and in opposition to the motion, the Court enters the following Order:

The Ninth Circuit's Decision, docket no. 22, indicates that the Administrative Record does not include sufficient information regarding the Trimester Bonuses at issue in this matter to determine whether Defendant Hartford Life and Accident Insurance Company ("Hartford Life") appropriately included the entire Trimester Bonus in the calculation of Plaintiff's February 2022 Current Monthly Earnings ("CME").

This Court therefore finds that this matter should be remanded to Hartford Life so that the parties may develop the Administrative Record to include sufficient information regarding Plaintiff's Trimester Bonuses to permit Hartford Life to review and, if necessary, revise its benefits decision consistent with the Ninth Circuit's Decision.

ORDER REMANDING MATTER
FOR FURTHER ADMINISTRATIVE PROCEEDINGS - 1
Case No. 2:22-cv-00610-TSZ

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1 For the foregoing reasons, the Court hereby ORDERS:

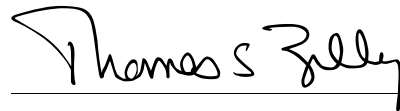
2 (1) Plaintiff's Motion for Remand, docket no. 23, is GRANTED.

3 (2) This matter is REMANDED to Defendant Hartford Life with instructions that the
4 parties develop the Administrative Record to include sufficient information regarding Plaintiff's
5 Trimester Bonuses to permit Hartford Life to review and, if necessary, revise its benefits decision
6 consistent with the Ninth Circuit's Decision.

7 (3) The remand is governed by ERISA's claim management regulations, 29 C.F.R.
8 § 2560.503-1, including that Plaintiff may submit an appeal to Defendant pursuant to 29 C.F.R.
9 § 2560.503-1(h) if it makes any adverse determination.

10 (4) For administrative purposes, the Clerk is DIRECTED to CLOSE this case and to send
11 a copy of this Order to all counsel of record. The Court retains jurisdiction over this matter, and
12 either party may promptly move to reopen the case if necessary after the parties conclude the
13 additional administrative proceedings.

14 IT IS SO ORDERED this 14th day of August, 2023.

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18 Thomas S. Zilly
19 United States District Judge
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